

Notice of Allowability

Application No.

10/733,285

Examiner

Jon A Szumny

Applicant(s)

MATSUMOTO ET AL.

Art Unit

3632

9

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to September 8, 2004.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☒ The drawings filed on 12 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/12/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Art Unit: 3632

This is the second office action for application number 10/733,285, Seat Slide Device, filed on December 12, 2003.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

Receipt is acknowledged of Form PTO-1449, Information Disclosure Statement, which has been reviewed by the Examiner.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Aaron Chatterjee on October 28, 2004.

The application has been amended as follows:

On page 8, line 29, "connected" has been changed to --connected to--;

On page 9, line 32, "toothed portion" has been changed to --pawls--;

Art Unit: 3632

In claims 2-25, line 1, "A" has been changed to –The--.

In claim 3, line 5, "with" has been changed to –while engaging--;

In claim 18, line 2, "the bolt" has been changed to –one of the bolts--;

In line 3, "bolt" has been changed to –one of the bolts--;

In claim 24, line 6, "an" has been changed to –a--;

In claim 26, line 21, "pawls" has been changed to –pawls of--;

In line 22, "with" has been changed to –while engaging--.

Allowable Subject Matter

Claims 1-26 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1 and 26, the prior art divulged numerous examples of seat slide devices each comprising upper and lower rails, a latch lever including a pawl portion to establish a locking condition of the upper rail relative to the lower rail, and a spring member for biasing the latch lever into the locked condition.

However, regarding claim 1, the prior art failed to specifically teach a seat slide device comprising a lower rail having a channel structure; an upper rail having a channel structure, the upper rail being slidably engaged with the lower rail in a manner to define therebetween an elongate enclosed space; an elongate lock plate placed in the elongate enclosed space and secured to the lower rail; a latch lever including a pawl portion and an input arm and placed in the elongate enclosed space, the latch lever being pivotally connected to the upper rail to pivot about a given axis that extends in parallel with the upper rail, the latch lever being pivotal between a lock position where

Art Unit: 3632

the pawl portion is engaged with a part of the lock plate to establish a locked engagement between the lower and upper rails, and an unlock position where the pawl portion is released from the lock plate to cancel the locked engagement, the latch lever being pivoted in a direction from the lock position to the unlock position when the input arm is applied with an external force; a spring member placed in the elongate enclosed space for biasing the latch lever to pivot toward the lock position; and an opening formed in the upper rail for having a given part of the input arm projected outward therethrough.

Regarding claim 26, the prior art failed to specifically teach a seat slide device comprising a lower rail having a generally U-shaped cross section; an upper rail having a generally reversed U-shaped cross section, the upper rail being slidably engaged with the lower rail in a manner to define therebetween an elongate enclosed space; an elongate lock plate placed in the elongate enclosed space and secured to the lower rail, the lock plate being formed with a plurality of aligned lock openings; a latch lever including pawls and an input arm and placed in the elongate enclosed space, the latch lever being pivotally connected to the upper rail to pivot between a lock position where the pawls are inserted into some of the lock openings to establish a locked engagement between the lower and upper rails and an unlock position where the pawls are released from the lock openings to cancel the locked engagement, the latch lever being pivoted in a direction from the lock position to the unlock position when the input arm is pressed in a given direction; a supporting bracket placed in the elongate enclosed space and secured to the upper rail, the supporting bracket being formed with holding openings

Art Unit: 3632

through which the pawls the latch lever are engaged with the lock openings of the lock plate for establishing the lock position of the latch lever; holding openings formed in the upper rail with which leading ends of the pawls of the latch lever are engaged when the latch lever assumes the lock position; a curved bar spring having opposed ends pressed against an inside wall of the upper rail and a swelled center portion pressed against the latch lever thereby to bias the latch lever to pivot toward the lock position; an opening formed in the upper rail from which a given part of the input arm is projected outward; and a lock canceling device mounted on the upper rail, the device pressing the given part of the input arm in the given direction when actuated.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Aisin et al. '909, Nihei et al. '335, Couasnon '173, Muraishi et al. '292, Hayakawa et al. '272, Yamada et al. '696 and Yokoi et al. '990 teach various seat slide devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jon A Szumny whose telephone number is (703) 306-3403. The examiner can normally be reached on Monday-Friday 8-4.


Art Unit: 3632

The fax phone number for the organization where this application and proceeding are assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Jon Szumny
Patent Examiner
Technology Center 3600
Art Unit 3632
October 28, 2004



ANITA KING
PRIMARY EXAMINER